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Egg flap may be settled tonight

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GENEVA — After nine months of contention, the zoning dispute between Jeff Henderson and the city may be resolved tonight.

Henderson, of 399 S. Main St., has located Geneva Peeps, a hen and egg cooperative and two rows of solar panels, on industrially zoned land he owns at 48-50 State St.

He bought the 1.1-acre double parcel of vacant land from the city at auction in May 2013. It was the site of an old manufacturing business.

It is zoned industrial, which allows solar panels and the egg cooperative, with a special use permit.

Henderson submitted his plans to the city Planning Board in July 2014.

The Planning Board gave its approval to his site plan, architectural review and environmental review by an 8-0 vote on July 20, 2014.

After debate about the zoning code buffer requirements and whether they applied, five board members decided a liberal interpretation was in order. Three felt the buffer should apply or the matter should be referred to the Zoning Board of Appeals.



Henderson

But the motion to approve the plan was approved unanimously.

Last fall, the city was asked by neighbors who opposed the project to look closer at the zoning code and its 100-foot buffer zone requirements, suggesting that was wrongly not pursued by the Planning Board.

The matter eventually went to City Court, where acting City Judge Stephen Aronson of Canandaigua directed that the matter go to the ZBA.

In February, the ZBA voted 3-2 — two members were absent — to not require Henderson to seek a variance

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EGG

Meeting's at 7 p.m.

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for the buffer requirements.

But four votes of the seven-member board were needed, so Henderson was told he had to seek a variance. Henderson strongly disagreed.

After months of debate, Henderson finally agreed and the variance request will be heard at tonight's 7 p.m. ZBA meeting in the Public Safety Building, 255 Exchange St.